

SENTENCING MINUTES
NORFOLK/NEWPORT NEWS DIVISION

Set: 2:30 p.m.Date: 5/8/19Started: 2:38pmJudge: Henry Coke Morgan, Jr., SUSDJEnded: 3:25pm.Court Reporter: Carol Naughton, OCRU. S. Attorney: Katie DoughertyDefense Counsel: Larry Woodward, RetainedProbation Officer: Leah GreathouseCourtroom Deputy: Lori Baxter/Josh LangCase No. 2:18cr163Defendant: STEVEN ERIC KREMER

(X) on bond () in custody

☒ Came on for disposition.☒ Deft. sworn.☐ Govt /Deft motion

- Argued

GRANTEDDENIED☐ Presentence report reviewed.☒ Court ACCEPTS the factual content of PSR as factual findings and the application of guidelines.☐ Objections heard & rulings made.☐ Evidence presented (Witnesses & Exhibits listed on last page)☒ Arguments heard☒ Statement of defendant heard☐ Court finds deft. GUILTY as to Count(s) _____ after a plea before a USMJ.**IMPRISONMENT:**

_____ Count(s) _____: The deft. shall be committed to the custody of the BOP to be imprisoned for a term of _____ months on Count _____ and a term of _____ months on Count _____, all to be served concurrently/consecutively.

☐ The deft shall receive credit for time served.☐ The deft is remanded to the custody of the U. S. Marshal.

☐ The deft shall surrender for service of the sentence at the institution designated by the Bureau of Prisons / U. S. Marshal Service, before _____ on _____, as notified by the U. S. Marshal.

PROBATION / SUPERVISED RELEASE:

☒ The deft shall be placed on Probation for a term of 3 years. 3yrs on Ct 1 and Ct 2, to run concurrently. (Plus 12 months home confinement)

_____ Upon release from imprisonment, the deft. shall be on supervised release for a term of _____ years. This term consists of _____ years on Count _____, a term of _____ years on Count _____, all to run concurrently.

EDUCATION & EMPLOYMENT:

_____ The defendant shall obtain his/her GED and develop a skill and/or trade while on supervised release.

_____ If at any time the defendant is unemployed for a period of 60 days during his period of supervised release, the Court will order that he be required to obtain vocational training to improve his opportunities for employment.

_____ The deft is prohibited from engaging in any occupation where the deft would have access to individuals' personal information, money or accounts.

ILLEGAL ALIEN:

_____ Upon completion of the term of imprisonment, the deft is to be surrendered to a duly-authorized immigration official of the Department of Homeland Security Bureau of Immigration and Customs Enforcement for a deportation review in accordance with established procedures provided by the Immigration and Naturalization Act, T.8 USC, Section 1101, et seq. If deported, the deft shall not re-enter the U.S. without the express permission of the U. S. Attorney General.

_____ If at any time the deft illegally reenters the United States during the term of supervised release, his illegal reentry will be a violation of supervised release, as well as a violation of law.

HOME DETENTION & MONITORING:

☒ The deft shall participate in the Home Confinement Program, which shall include electronic monitoring at the deft's expense, for a period not to exceed 12 MONTHS consecutive months/~~days~~ as directed by the probation officer. During this time, he shall remain at his place of residence except for employment, obtaining medical attention for himself and family, attending religious services if he be so inclined and other activities approved in advance by the probation officer.

☒ The deft shall maintain a telephone at his place of residence without party lines, telephone answering machines, a modem, "call forwarding", "caller ID", "call waiting", portable cordless telephones or any other devices or services that may interfere with the proper functioning of the electronic monitoring equipment for the above period. The deft shall wear an electronic monitoring device, follow electronic monitoring procedures, and pay the cost of electronic monitoring, all as directed by the probation officer.

☒ EM will begin w/ 30 days or when it can be set up, whichever occurs first.

FINANCIAL PENALTIES:

_____ The defendant shall pay a fine of \$_____. Interest waived: _____ Yes _____ No

☒ The defendant shall pay a special assessment of \$200.00 which shall be due and payable immediately and if not immediately paid, may be deducted in installments from the defendant's prison account in accordance with the rules and regulations applicable to such accounts.

☒ The defendant shall make restitution pursuant to the plea agreement and /or as set out in the Restitution Judgment in the amount of \$19,469.00

Interest waived: ☒ Yes _____ No

☒ Restitution Order entered & filed in open Court.

_____ Restitution is joint and several with _____

as long as deft. complies w/ Restitution Order.

____ It shall be a condition of supervised release that the defendant pays any criminal monetary penalties that remain unpaid at the time of supervised release.

☒ The Court waives the cost of prosecution, ~~incarceration~~, and supervised release. *except for EM costs.*

____ Consent Order of Forfeiture entered & filed in open Court.

RECOMMENDATIONS TO THE BUREAU OF PRISONS:

____ The Court recommends that the defendant be incarcerated _____

____ The Court recommends that while incarcerated:

- ____ The defendant shall participate in a substance abuse program.
- ____ The defendant shall develop a skill or trade
- ____ The defendant shall obtain his / her GED.

☒ The defendant notified of his rights should he decide to appeal.

☒ Court noted that the defendant waived the right of appeal in the plea agreement.

____ The defendant having been found guilty and sentenced on Count(s) _____ of the Indictment, it is ordered that Count(s) _____ of the Indictment be dismissed in accordance with the terms of the plea agreement and on motion of the United States.

☒ The defendant is continued on present bond & cautioned re. bail jumping. *(EM to start w/in 30 days)*

ADDITIONAL COUNTS / COMMENTS:

WITNESSES:

EXHIBITS:

